AL - HIDAYAAH
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IS A WOMAN OBLIGED TO COVER HER FACE IN SHARIAH ?

Is it necessary for a woman to cover her face in the presence of strangers (who are not designated MAHAARIM) according to SHARIA? This question is answered in this article in the context of the claim that the veil or NIQAB is primarily "a social requirement and custom according to the environment and customs of a particular country." In endeavouring to answer the question, I will confine myself to a brief examination of the relevant Qura'nic verses.

1. SURAH AN-NUR, VERSES 30 AND 31

And Say to the believing woman
That they should lower
Their gaze and guard
Their modesty; that they
Should not display their
Beauty and ornaments except
What (unavoidably) appears
Thereof; that they should
Draw their veils over
Their bosoms and not display
Their beauty except
To their husbands, their fathers
Their husbands' fathers, their sons
Their husbands' sons
Their brothers or their brothers' sons
Or their sisters' sons
Or their women, or their slaves
Whom their right hands
Posses, or male attendants
Free of sexual desires

Or small children who

Have no carnal knowledge of women;

And that they

Should not strike their feet

In order to draw attention

To their hidden ornaments

And O ye believers

Turn ye all together

Towards Allaah in repentance that ye

May be successful.

It is apparent that upon a plain reading the purpose of the verse is to eradicate promiscuity, fornication and adultery and all the preliminary steps that lead directly to the commission of such shameful acts. The references to **"lowering their gaze"**, **"drawing their bosoms"** and **"striking their feet to draw attention"** indicates that all acts or omission which in the ordinary course leads directly to sexual promiscuity and FITNAH are forbidden.

In order to totally eradicate sexual promiscuity and FITNAH, the verse goes on to say that a woman is not permitted to display her beauty and charms **except** in degrees to her husband, father and other classes of persons specified in the verse. The exempt class would qualify as strangers or GAIR- MAHAARIM. The principle fixed by the verse is, therefore, that a woman cannot display her beauty to any male person other than the persons exempted by the verse. **It goes without saying that the face is the focal point of a woman's beauty, and the main source of attraction.** Hence, the face of a woman cannot be displayed or shown to a stranger in normal circumstances whether in public or private according to the general principle fixed by the verse as stated above. She is permitted to display her beauty to the exempt class (the MAHAARIM) for obvious reasons of close contact, and because of the considerably lesser danger of sexual promiscuity and fitnah within that class. (Zamakshari)

The Sharia, however, is practical, dynamic and takes into account the real situations of life. A woman may in the case of genuine need be forced to expose her face in the case of genuine need be forced to expose her face in the presence of strangers. For example, undergoes medical treatment or similar other situations.

It is against this background that the preceding portion of the verse "they should not display their beauty and charms except what must ordinarily appear unavoidable " falls into proper perspective. The words 'illah ma zahara minhaa' are in context an exception to the general rule, and cover those cases of genuine need and necessity when a women is forced to expose her face in the presence of a stranger. That is how the great commentators of the Noble Qur'an have interpreted the verse.

Take the following two examples:

"Women must not display any part of their beauty and charms to strangers **except** what cannot possibly be concealed." Ibn Kathir al Qur'an.

"Why is woman permitted to display her external beauty and charms? Because to conceal that would cause her inconvenience. A woman is forced to deal in commodities with her own hands. She is compelled by genuine need to expose her face especially at the times of giving evidence, litigating in court, and marriage. She is compelled to walk the streets and expose her feet, especially poor women. This is the meaning of ('illah ma zahara minhaa') that is, 'except what the situation of ordinary life compel her to expose." (Zamakhshari)

A further point in the interpretation of 'illah ma zahara minhaa' has been highlighted by the well known scholar, Moulana Ashaf Ali Thanvi (R.A). He states that the verb used is that of the first form 'zahara' and not 'zuhira' which in the fourth form signifies deliberate exposure of the face is confined to need. (see his article, in Vol. 4 of Imadul Fatawa P.181).

It follows from the above that upon a proper interpretation of the verse the face and hands of a woman can only be exposed to strangers in a situation of genuine need where concealment would cause her serious inconvenience.

2. SURAH AL-AZHAB - Verse 53

"And when you
Ask them
For anything you want,
Ask them from behind
A screen: that makes
For greater purity for
Your hearts and for theirs."

The meaning of this verse is clear: the companion of the Noble Prophet (S.A.W)
were ordered to communicate with the wives of the Noble Prophet (S.A.W) from behind a screen and not directly face to face. It is obvious that this instruction is not limited to the wives of the Noble Prophet (S.A.W). The verse has general application and the fact that the Noble wives of Noble Prophet (S.A.W) are specifically mentioned emphasis the importance of the subject matter. The distinguished jurist, ABU-BAKR JASSAS (R.A) in his AKHAMUL QUR'AN states:

"This order, although revealed specifically in relation to the Noble Prophet (S.A.W), is general in application because we are ordered to follow him." Vol. 3 P. 370

Similarly, the well known commentator of Noble Qur'an Imam Qurtubi (R.A) in his AL-JAMAI LI AHKAMIL Qur'an states:

"All women are in effect covered by the terms of the verse which embraces the SHARI principle that the whole of a woman is (to be concealed) - her body and voice, as mentioned previously. It is not permissible to expose those parts except in the case of need, such as the giving of evidence...."

3. SURAH AL AZHAB - Verse 59

"O Prophet' Tell
your wives and daughters,
as well as all other
believing women that they
should draw over themselves,
some of their outer garments
(when in public)..."

In his commentary to this verse, Allama Abu Bakr Jassas (R.A) states :

"This verse proves that a young woman is ordered to cover her face from strangers, and to manifest SATR and modesty in public so that doubtful people may not be desirous of her."

It is sufficient to quote the following authentic commentators in the interpretation of the verse:

"They (the women), shall cover their faces and bodies with their outer garments when they appear in public for a valid reason."

"They shall cover their faces and ... sides"

"Ibn Abbas states that the Muslim women are ordered to cover their head and faces with outer garments except for one eye."

see: "Kulasatus Tafseer "

AND ALLAAH KNOWS BEST

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